

language that it's reviewable. The Attorney General has got questions and so a lot of this language is to appease and make it as clear as possible, the Attorney General's office. But what Senator Hall is talking about is this attempts to deal with one particular problem and address a level playing field that's been agreed to. He is also raising broader issues and, for instance, a hospital could decide that they wanted to do some type of surgical facility remodeling within their facility and if they didn't go above those thresholds, they wouldn't be reviewable. And I think what Senator Hall is saying is that maybe...and I don't want to speak for him, but in one area we have attempted to be fair and level the playing field but there are other areas that we didn't address that probably need attention. And so I have indicated my willingness to work with him on that. But the bill, itself, addresses a very particular problem and attempts to make it as fair as we can but the constraints of the problem and where you draw the parameters of the problem are what are, I think, maybe at issue at this point.

PRESIDENT ROBAK: Thank you, Senator Wesely. The Chair recognizes Senator Hall.

SENATOR HALL: Thank you, Madam President, and members, again I rise in opposition to Senator Wesely's amendment. I want to go on record as saying that I am willing to work with Senator Wesely and others on this issue. I don't intend...I did file a kill motion on the bill because I feel that strongly about this issue, that what we are doing in terms of the movement with LB 376, I think, frankly, it...it is not Senator Wesely's fault except he's just too nice a guy sometimes when he's working with opposing parties on these issues. And that's exactly what this is. It is a case where folks are trying to carve out the best possible niche that they can. I think that if we put this kind of a proposal in place, we tell the entrepreneur, the young doctor, the doctor who wants to go out and make the investment is willing to do that, not just in an Omaha setting but in any setting across the state that would provide good medical services to a community. We're going to say, look, if you're going to put in this ambulatory surgical facility, you have to go through CON. If the hospital, no matter what the cost, whether it be the half million dollars that the example I give you is, or whether it be the \$4 million or the 3 million plus dollars of the ones that were exempted because the application was in prior to the change in the laws, proposed change in law. I think there ought to be some ceiling on a...for purposes of